IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION.

CRIMINAL APPLICATION NO. 4460 OF 2004

IN

CRIMINAL APPLICATION NO. 4069 OF 2004

IN

CRIMINAL WRIT PETITION NO. 1357 OF 2004

Dilip Chandrakant Bhise ..... Applicant.

versus

The State of Maharashtra & ors..... Respondents.

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Shri Ajit Ram Pitale for the applicant.
Mrs. Aruna Pai APP for the State.

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CORAM ; V.G.PALSHIKAR &
ANOOP V. MOHTA, JJ.

DATED; 15TH OCTOBER, 2004.

P.C.;

Mentioned. Produced papers. Not on Board.

1. By this application the applicant seeks extension of interim order granted earlier. The licence of the applicant under the Bombay Police Act for Eating House and entertainment was cancelled. A statutory remedy of appeal is available and the appellate power is vested in the Ministry concerned. The applicant has filed proper appeal and is not being decided on the pretext

that the Code of Conduct of the Election Commission is operative. To decide the appeal under the Bombay Police Act is the statutory function of the authority named, and there is no question of Code of Conduct came in the way of Appellate Authority of deciding the appeal and the Appellate Athority is at liberty to proceed with the hearing of this matter.

2. In view of the fact that the appeal is pending all these days it will be better if the hearing is taken up expeditiously. Hence with the above direction, this Criminal Application is disposed of. The interim order to continue for one more week.

3. Parties to act on an authenticated copy of this order.

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